IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT:

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 13620 of 2003

Between:

1. B.S.Jayalaxmi w/o B.John Chrisitom, Aged about 50 years, Occupation: School Assistant in St.Joseph Convent English Medium High School, Proddatur, R/o. Proddatur.
   Kadapa District.

2. M.Gauramma w/o M.C.Subbarayudu, Aged about 51years,
   Occupation: Grade-I Telugu Pandit in St.Joseph Convent English Medium High School, Proddatur, R/o Proddatur,
   Kadapa District.

3. B.Mary Bharati w/o B.Jayakkar, Aged about 53 years,
   Occupation: Grade-II Telugu Pandit in St.Joseph Convent English Medium High School, Proddatur, R/o Proddatur,
   Kadapa District.

4. K.Marianna s/o K.Davadanam, Aged about 40 years, Occupation: Attender in St.Joseph Convent English Medium High School, Proddatur, R/o Proddatur,
   Kadapa District.

..... PETITIONERS

AND

1. State of Andhra Pradesh, Represented by its Secretary to Government, Education Department,
   Secretariat Buildings, Hyderabad.

2. The Director & Commissioner of School Education, Government of A.P., Saifabad, Hyderabad.

3. The District Educational Officer, Opp: Government Arts College, Kadapa, Kadapa District. .....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus by declaring the action of the respondents in not releasing the arrears of grant-in-aid of salaries and allowances to the petitioners for the period commencing from 01-03-1986 to 31-10-1989 as arbitrary, illegal, improper and unjust and consequently to direct the respondents to forthwith release the arrears of grant-in-aid of salaries and allowances to the petitioners commencing from 01-03-1986 to 31-10-1989.

Counsel for the Petitioners: Mr.Nuty Ram Mohan Rao.

Counsel for the Respondents: GP for School Education.

The Court made the following order:

It is the case of the petitioners that they are holding aided posts in St.Joseph Convent English Medium High School, Proddatur, and they are entitled to receive salaries in accordance with grant-in-aid. After their posts are admitted into grant-in-aid w.e.f. 1985, they were paid salaries and allowances in terms of grant-in-aid regularly from 1-9-1985 to 28-2-1986 and from 1-11-1989 onwards in accordance with the scheme. But from 1-3-1986 to 31-10-1989, they were not paid salaries as per the sanctioned scale under grant-in-aid because the state Government was

reviewing the policy of grant-in-aid. When the grant-in-aid was given with effect from 1-9-1985, the petitioners are entitled for the arrears of the salaries from 1-3-1986 to 31-10-1989.

The issue raised in this writ petition is squarely covered by a Division Bench judgment of this Court in W.P.No.31754 of 1997 dated 27-2-2003.

Following the above judgment, the writ petition is allowed directing the respondents to make payments of the unpaid salaries for the period from 1-3-1986 to 31-10-1989 within three months from the date of receipt of a copy of this Order.

1-09-2004

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1. Secretary to Government, Education Department,
   Secretariat Buildings, Hyderabad.
2. The Director & Commissioner of School Education., Government of A.P.,
   Saifabad, Hyderabad.
3. The District Educational Officer, Opp: Government Arts

   College, Kadapa,
   Kadapa District.
4. Two CCs to Govt. Pleader for School Education,

   High Court of A.P., Hyderabad. (OUT)

5. Two CD copies.